

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 78 – SB 1182

March 27, 2017

SUMMARY OF ORIGINAL BILL: Authorizes property owners to denote trespassing is prohibited with purple paint markers in lieu of posting signage. Establishes requirements for use of such purple paint markers. Prohibits a person from using a defense identified in Tenn. Code Ann. § 39-14-405(b) relative to a criminal trespass charge when the applicable property owner has denoted that trespassing is prohibited with purple paint markers.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (004720): Deletes and rewrites the bill such that the only substantive change requires property owners utilizing purple paint to denote property barriers to also post at least one sign at a major point of ingress which includes language describing that the use of purple paint signifies “no trespassing”.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Property owners will be responsible for costs associated with the purchase and use of purple paint and signage to denote property barriers.
- It is unknown how many property owners will elect to use purple paint markers and signage and if instances of criminal trespass on private property will increase or decrease as a result of this legislation; however, any net change in fine revenue collected by local governments is estimated to be not significant.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

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